

REMARKS

Favorable reconsideration and allowance are respectfully requested for Claims 1-29 in view of the foregoing amendments and the following remarks.

Responsive to the claims rejections under 35 U.S.C. §112, second paragraph, by way of the foregoing amendment, the rejections are obviated. Regarding Claim 28, the recited limitations further limit Claims 25 and 26, and with these added, this further limitation renders the claim definite. Accordingly, withdrawal of the rejections is respectfully requested.

Claims 1, 13, 19, 25, 28, and 29 were rejected under 35 U.S.C. §102(b) as anticipated by Ferro. These rejections are respectfully traversed. Ferro does not disclose or suggest, among other features, that the unlocking handle has a basic body coupled with the lock and a luminous body which is mounted thereon and is made of a luminous material. Ferro shows a luminous coating. The limitation "luminous body" read in light of the specification is not found in Ferro. The luminous coating of Ferro is not a luminous body. Thus, it is respectfully submitted that the claimed invention is not anticipated by Ferro, as noted above. Accordingly, withdrawal of the rejections is respectfully requested.

Claims 5, 16, and 22 were rejected under 35 U.S.C. §103(a) as unpatentable over Ferro. These rejections are respectfully traversed. Ferro does not disclose or suggest, among other features, that the luminous body consists of a luminescent crystal mixture which is mixed with a transparent plastic material and/or is embedded therein. In the Office Action the Examiner has taken official notice that luminescent coating, such as acrylic paint or other clear plastic-base paint mixed with a luminescent crystal mixture are well known and within the scope of the Ferro '326 reference. Therefore, it is respectfully

requested that in the next Office Action the Examiner supply sufficient evidence that luminescent coatings, as used in Ferro, can be acrylic paint or other clear plastic-base paint mixed with a luminescent crystal mixture which is applicable to the automotive arts. The Office Action further states that it would have been an obvious design choice or engineering expedient for one of ordinary skill in the art to provide a well known luminescent acrylic paint or other luminescent plastic coating where such construction would not affect the function of the disclosed device. As no evidence has been presented in the Office Action that such an alleged paint is usable as a coating in Ferro or that such a coating exists, it is respectfully submitted that the claimed invention is patentably distinguishable from Ferro. Accordingly, withdrawal of the rejection is respectfully requested.

Claim 26 was rejected under 35 U.S.C. §103(a) as unpatentable over Ferro in view of Tanimoto. This rejection is respectfully traversed. In the Office Action, it is alleged that the luminescent coating of Ferro is glued to the handle. In support of this, the Examiner has stated that it is well known to glue a softer material portion of the desired color onto a handle base portion in order to provide a strong handle with the desired color. As one of ordinary skill in the art would not seek to glue a coating, it is respectfully submitted that the motivation to combine is improper. Thus, it is respectfully submitted that the claimed invention is patentably distinguishable over the cited references. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1, 2, 5, 6, 9, 10, 12-14, 16-20, and 22-29 were rejected under 35 U.S.C. §102(a) as unpatentable over Bingle in view of Lowes. These rejections are respectfully traversed. Bingle does not disclose or suggest, among other features, that the unlocking handle has a basic body coupled with the lock and a

luminous body which is mounted thereon and is made of a luminous material. Bingle discloses that the handle may be made out of a glowing phosphorous material. Bingle does not mention that the handle has a basic body coupled with the lock and a luminous body which is mounted thereon and is made of a luminous material.

The deficiencies of Bingle are not rectified by Lowes. Lowes does not disclose or suggest, among other features, that the unlocking handle has a basic body coupled with the lock and a luminous body which is mounted thereon and is made of a luminous material. Lowes shows a phosphorous coating 15 which is applied on the inner face of member 12. As stated previously, the phosphorous coating 15 is not a luminous body and, the transparent member 12 in Lowes is not a luminous body which is mounted thereon and is made of a luminous material. Thus, it is respectfully submitted that the claimed invention is patentably distinguishable over the cited references, as noted above. Accordingly, withdrawal of the rejections is respectfully requested.

Since Claims 2-17 and 20-24 depend from Claims 1 and 19, respectively, Claims 2-17 and 20-24 are also patentably distinguishable over the cited references. Accordingly, withdrawal of the rejections is respectfully requested.

In view of the foregoing amendments and remarks, the application is respectfully submitted to be in condition for allowance, and prompt favorable action thereon is earnestly solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #225/50478).

Respectfully submitted,



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MARKED-UP VERSION OF AMENDMENT

IN THE CLAIMS

Please amend Claim 18 as follows:

18. (Amended) Unlocking handle for a vehicle [according to Claim 1] arranged in a vehicle interior for opening operation of a lock of a closing element, comprising a basic body coupled with the lock, and a luminous body which is mounted thereon and is made of a luminous material.